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November 29, 2024

If plaintiff opposes defendants' request, he should respond by
December 3, 2024 at 12:00 PM.

VIA ECF

Honorable Arun Subramanian
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

SO ORDERED.

Arun Subramanian, U.S.D.J.
Date: December 2, 2024

Re: Foster v. The City of New York, et al.,
23 Civ. 3613 (AS)

Your Honor:

I represent defendants the City of New York, Ortiz, Laguerre, and New York City Health and Hospitals Corporation in the above-referenced matter. Defendants write to respectfully request: (1) leave to take the deposition of plaintiff Samuel B. Foster, Jr. pursuant to Fed. R. Civ. P. 30(a)(2)(B); and (2) an order to produce plaintiff, who is currently incarcerated, for his deposition on December 12, 2024.

Defendants intend to take plaintiff's deposition on December 12, 2024, at 10:00 a.m., via video conference. Accordingly, defendants respectfully request leave to do so and that the Court issue an order directing the Warden or other official in charge of Mid-State Correctional Facility to produce plaintiff to a suitable location within the facility to participate in his deposition on December 12, 2024, at 10:00 a.m. Defendants will separately file a proposed order.

Thank you for your time and consideration.

Respectfully submitted,

/s/ Zachary Kalmbach
Zachary Kalmbach
Senior Counsel

CC: **Via Regular Mail**
All counsel of record